

18 A. Unless specified to.

19 Q. So Ms. Van Horn says, "Nate, please see
20 attached," correct?

21 A. Correct.

22 Q. So she's specifying for you to look at the
23 attachments, correct?

24 A. Correct.

25 Q. So would you have looked at the
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1 attachments to Sigler Exhibit 10?

2 A. Possibly. I know for a Map 2, Map 1
3 precincts, the maps I looked at, but the Excel sheet
4 I'm still not positive on. And I'm not quite sure
5 what Galveston Map 2 10_28 is.

6 Q. Okay. I -- we can look at -- if you'd
7 like to take a look at the attachments again, you
8 can. They're all -- they're all in Sigler
9 Exhibit 10. But just so I'm clear, your testimony
10 is that you did not do anything with the information
11 that you received in Sigler Exhibit 10?

12 MR. RUSSO: Objection. Asked and
13 answered.

14 Q. You can still answer.

15 A. Okay. Could you repeat the question one

16 more time, please?

17 Q. Absolutely. So just so I'm clear, your
18 testimony is that you did not do anything with the
19 information that you received in Sigler Exhibit 10?

20 MR. RUSSO: Same objection.

21 A. Yes, not that I can recall.

22 Q. All right. Let's go back to Sigler
23 Exhibit 11, please.

24 A. Right here?

25 MS. JAYARAMAN: Counsel, if you're
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1 speaking with Mr. Sigler, if you wouldn't mind
2 speaking loud enough so we could all hear, please.

3 MR. RUSSO: Yeah, I'm getting him to the
4 document, okay? I mean, are you worried about us
5 secretly putting things on the record? He's trying
6 to maneuver the documents.

7 MS. JAYARAMAN: No, I'm not worried about
8 anything secretly going on the record. I'd like to
9 just like to --

10 MR. RUSSO: I'll tell you where the click
11 on the process that you guys have set up for today.
12 It's that simple.

13 MS. JAYARAMAN: Okay. I appreciate that.

14 Thank you for assisting him.

15 Q. Mr. Sigler, do you have Sigler Exhibit 11
16 in front of you?

17 A. Yes.

18 Q. Great. And this is the email we were
19 looking at before. It's an email exchange between
20 yourself and Dale Oldham dated November 1st, 2021,
21 correct?

22 A. Correct.

23 Q. In the top email you send Mr. Oldham a
24 Zoom link. Do you see that?

25 A. Yes.

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1 Q. Did you meet with Mr. Oldham via Zoom on
2 November 1st, 2021?

3 A. I believe so.

4 Q. Was anyone else in that meeting?

5 A. I do not recall.

6 Q. How long was that meeting?

7 A. I do not know.

8 Q. What did you discuss with Mr. Oldham
9 during that meeting?

10 MR. RUSSO: I'll instruct the witness not
11 to answer based on attorney-client privilege.

12 MS. JAYARAMAN: Cathy, could we pull up

13 Tab 19, please.

14 MS. REYES: I'm sorry. If you don't mind,
15 I'd like to ask some questions about the basis for
16 that privilege.

17 MR. RUSSO: Sorry. Who's speaking?

18 MS. REYES: My name is Bernadette Reyes
19 for Petteway plaintiffs. I have some questions
20 about the basis for that privilege.

21 MR. RUSSO: Okay. There's counsel that
22 has the examination ongoing right now.

23 MS. JAYARAMAN: Ms. Reyes can ask her
24 questions. I don't mind.

25 MS. REYES: Are you -- are you saying that
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1 Mr. Oldham was retained as the county's attorney?

2 MR. RUSSO: He was a represent -- yes. He
3 was an attorney working for the county, retained to
4 assist the county in the redistricting effort.

5 MS. REYES: Okay. So can you tell us when
6 he retired?

7 MR. RUSSO: I don't know the date.

8 MS. REYES: And this general subject
9 matter of his work?

10 MR. RUSSO: Can we go on with the

11 deposition and we can have this discussion off the
12 record when we're not wasting the witness's time
13 with this?

14 MS. REYES: No, I want to make clear for
15 the record the basis of your objection. You're
16 claiming attorney-client privilege --

17 MR. RUSSO: The basis of my objection is
18 you are getting into an attorney-client privilege.
19 There's -- there's -- and that's it. The guy --
20 Mr. Oldham was retained by the county to help with
21 the redistricting effort.

22 MS. REYES: Okay. That's the basis of --

23 MS. REYES: I understand, Mr. Russo, but
24 the attorney-client privilege isn't just a blanket
25 coverage for anyone who is a lawyer that is -- that

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1 is hired by the county. There must be some basis
2 for the attorney-client privilege. The privilege
3 covered is legal counsel, legal advice. So if
4 Mr. Oldham was involved in mapping and giving data
5 regarding drawing the maps to Mr. Sigler, then
6 those -- those conversations, those communications
7 are not covered by the attorney-client privilege.
8 And I want to get this on the record.

9 MR. RUSSO: I totally disagree with that.

10 Mr. Oldham was retained for the purpose of getting
11 redistricting done within the bounds of the law.
12 That was his duty.

13 MS. REYES: I just want to be clear though
14 that based on what I've just said and based on the
15 earlier ruling containing the decision involving
16 judge brown, it is your position that the
17 communications from Dale Oldham are covered by
18 attorney-client privilege?

19 MR. RUSSO: That's correct. And again,
20 the case that you sent to us dealt with the
21 attorney-client privilege of a blanket privilege
22 that was asked for documents, not for specific
23 conversations between the attorney and the county.

24 MS. REYES: It is -- it is our position
25 that those are similar and that the testimony is
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1 akin to the documents.

2 MR. RUSSO: This is all --

3 MS. REYES: I am just -- I'm making my --
4 I'm just saying it for the record, Mr. Russo.

5 MR. RUSSO: Okay.

6 MS. REYES: I will pass it back to the
7 Department of Justice.

8 MR. RUSSO: This is argument for the
9 court. This is not argument for this deposition.
10 Do you want to continue examining the witness or
11 not.

12 MS. REYES: Yes, we can continue. I just
13 want to make sure I'm understanding the basis of
14 your objection.

15 MR. RUSSO: Great.

16 (Exhibit 13 marked)

17 BY MS. JAYARAMAN:

18 Q. Okay. So we're going to take a look at
19 Sigler Exhibit 13. And please let me know when you
20 have it in front of you, Mr. Sigler. And if you'd
21 take a look at the second page of Sigler Exhibit 13,
22 it's labeled defendant's first supplemental and
23 amended response to the United States first set of
24 interrogatories. Do you see that?

25 A. I do.

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1 Q. Okay. And let's turn to the very last
2 page of Sigler Exhibit 13. I believe it's page 39
3 of 39 in the PDF. And on the last page of Sigler
4 Exhibit 13, you will see a certification from judge
5 Henry that says that he declares under penalty of
6 perjury that the foregoing is true and correct. Do

7 you see that?

8 A. I don't recognize -- okay. Let me see.

9 Q. The very last page of Sigler Exhibit 13.
10 So you can scroll all the way to the end of the
11 document.

12 A. Okay.

13 Q. Do you see that there's a certification
14 from judge Henry that says he declares under penalty
15 of perjury that the foregoing is true and correct?

16 A. I do.

17 Q. Okay. So now using the printed page
18 numbers on the bottom of Sigler Exhibit 13, let's
19 turn to page 18 of Sigler Exhibit 13.

20 A. You said number 18? I'm sorry.

21 Q. Yes, 18 using the printed page numbers and
22 that's page -- yeah, 18. Please let me know when
23 you're there?

24 MR. RUSSO: The page numbers are on the
25 bottom.

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1 A. Okay. Oh, okay, okay.

2 MR. RUSSO: Okay. He's ready.

3 Q. Okay. At the very top of the page, it
4 says on November 1st, 2021, Nathan Sigler and Dale

5 Oldham scheduled a Zoom call. Upon information and
6 belief, this call concerned the verification of what
7 was posted to the website. Do you see that?

8 A. Yes.

9 Q. Would you agree with defendants' assertion
10 that your Zoom call on November 1st, 2021, with
11 Mr. Oldham concerned the verification of what was
12 posted to the Galveston website?

13 A. Could you repeat that question, please?

14 Q. Sure. Do you agree with defendants'
15 assertion that your Zoom call on November 1st, 2021,
16 with Mr. Oldham concerned the verification of what
17 was posted to the Galveston website?

18 A. I believe so.

19 Q. What do you mean by "I believe so"?

20 MR. RUSSO: Let me just caution the
21 witness that we're not disclosing conversations
22 other than what is stated in the interrogatories.
23 So if there are other conversations with Mr. Oldham,
24 we're not disclosing that on the basis of privilege.
25 To the extent you can answer her question, you can.

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1 A. And is this regarding commissioner -- the
2 redistricting for commissioner precincts or
3 redistricting for voting precincts?

4 Q. I do not know. I wanted to know if you
5 agreed with defendants' assertion that your Zoom
6 call on November 1st, 2021, with Mr. Oldham
7 concerned the verification of what was posted to the
8 Galveston County website.

9 MR. RUSSO: Objection, asked and answered.

10 A. I don't remember the specifics of what was
11 talked about in that conversation.

12 Q. When I asked the question a moment ago,
13 you said I believe so. And then I asked what do you
14 mean by believe so, and then I don't believe you
15 answered that. So what did you mean by I believe
16 so?

17 MR. RUSSO: Again, the witness is being
18 admonished in connection with disclosing
19 conversations that are between the county and an
20 attorney hired to represent them on the basis of
21 attorney-client privilege. To the extent you can
22 answer the question without revealing such other
23 communications, you can answer.

24 Q. So Mr. Sigler, do you disagree that your
25 November 1st, 2021, Zoom call with Mr. Oldham

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1 concerned what was posted to the Galveston County

2 website?

3 A. Can you repeat that question, please?

4 Q. Absolutely. Do you disagree that your
5 November 1st, 2021, Zoom call with Mr. Oldham
6 concerned what was posted to the Galveston County
7 website?

8 A. I do not. I don't recall what the
9 specifics of the conversation were.